

<b>Document title</b>	KMMS Academic Misconduct Procedures
<b>Version</b>	4
<b>Effective Date</b>	April 2024
<b>Date for review</b>	Academic Year 25/26
<b>Policy Owner</b>	Quality Manager
<b>Developing committee/board</b>	Undergraduate Programme Board
<b>Approved by/date</b>	KMMS Education and Research Board /March 2024

## **KMMS Academic Misconduct Procedures**

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## 1. Introduction

- 1.1. The procedures set out in this document apply to all forms of academic misconduct and all programmes of study within KMMS and are administered by the University of Kent to registered students and graduates of the University (see section 15 below).

Students have a responsibility to act with honesty, integrity and fairness in completing assessment requirements in relation to their course of study (including assessments related to the admissions, recruitment and selection process into KMMS and to progression during the programme). Such academic integrity plays a positive role in student development both during study and when moving into employment.

In demonstrating these positive behaviours, students should take note of the concepts of [good academic practice and academic integrity](#).

- 1.2. Where breaches of academic integrity occur, this is considered to be academic misconduct. Allegations of academic misconduct are dealt with in accordance with the procedures below. These procedures apply to students studying on both taught and research courses of study.
- 1.3. Some examples of the most common forms of academic misconduct are given at section 2.2 below. This list is not intended to be exhaustive.
- 1.4. Penalties may be applied singly or in combination where a student has previously committed an offence. Please note that where penalties are combined, Academic Misconduct Committees should ensure that these combinations do not impede student progression.

## 2. Academic Misconduct Examples

- 2.1. The KMMS Regulations for the Conferment of the Award of Bachelor of Surgery Bachelor of Medicine states that “Students are required to act with honesty and integrity in fulfilling requirements in relation to assessment of their academic progress.”
- 2.2. The following are some illustrative examples of academic misconduct which will be regarded as a breach of this regulation (not exhaustive):
  - 2.2.1. **Plagiarism:** reproducing in any work submitted for assessment or review (for example, examination answers, essays, project reports, presentations, dissertations, or theses) any material derived from work authored by another without clearly acknowledging the source. Presenting work copied

directly from another student without their knowledge.

- 2.2.2. **Duplication of material (self-plagiarism):** reproducing without acknowledgement in any submitted work any material used by that student in other work for assessment, either at this University or elsewhere<sup>1</sup>.
- 2.2.3. **Unauthorised Use of Artificial Intelligence:** Presenting work for an assessment generated by artificial intelligence software, without acknowledging the source. The use of any type of generative artificial intelligence tools (such as text generating, image generating, translators) is not permitted in assessment unless explicitly specified by the module convenor.
- 2.2.4. **Collusion:** conspiring with others to reproduce the work of others<sup>2</sup>, including knowingly permitting work to be copied by another student. Collusion is distinct from contract cheating as it does not depend on a payment or payment in kind being made for the work.
- 2.2.5. **Contract Cheating:** where a student (or a number of students collectively) commissions a third party for services that result in the submission of work for assessment that is, either wholly or in part, not the student's own work. The payment may be financial or involve payments in kind. Where no payment is made the alleged offence should be treated as the offences of plagiarism, collusion, or impersonation, as appropriate and as set out above.
- 2.2.6. **Fabrication:** the falsification of data, evidence, quotations, citations, or other information in any assessed work.
- 2.2.7. **Impersonation:** allowing an individual or individuals to impersonate the student in an examination or other assessment event/activity.
- 2.2.8. **Failure to obtain Ethical/Research Approval:** the failure to obtain ethical approval where there is a requirement to do so. Carrying out research without appropriate permission.
- 2.2.9. **Misconduct in examinations and In-Course Tests:** including the use of unauthorised materials, mobile phones, and other prohibited electronic devices, obtaining or offering improper assistance to another candidate.
- 2.2.10. **Attempting to influence a member of staff:** seeking to gain an advantage with regard to work submitted for assessment by offering an examiner or

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<sup>1</sup> Unless expressly permitted by the assessment criteria.

<sup>2</sup> Unless assessment criteria explicitly permit the submission of jointly authored or collaborative work.

teacher any inducement to treat that work more favourably than the work itself merits. This could also include an attempt to induce a professional service staff member to alter a mark or mark(s) for a more favourable outcome.<sup>3</sup>

- 2.3. The examples of academic misconduct set out at 2.2.1 to 2.2.5 above are most likely to be evidenced in assessed coursework and so the investigatory and reporting procedures will normally be routed through the marker of the assessment and the module lead.
- 2.4. The procedures for the forms of academic misconduct given at 2.2.6 to 2.2.10 allow for any such alleged breaches to be investigated and reported to the Chair of the Academic Misconduct Committee by other relevant members of staff.
- 2.5. It may be appropriate in investigating an allegation of misconduct for a student to be referred to the procedure for non-academic disciplinary matters or the KMMS Low-Level Concerns, Fitness to Study and Fitness to Practise Procedure. For example, where it is alleged that a student has falsified documentation as part of an academic procedure, such as the mitigation of extenuating circumstances, or where the misconduct raises questions about a student's honesty, trustworthiness, or character.

### 3. Principles

The following principles underpin the University's approach to cases of alleged academic misconduct and should be observed at all times:

- 3.1. **Student Induction, Guidance and Support** – KMMS will provide students with information regarding academic integrity and expectations of medical students during their first term of study.
- 3.2. **Independent Advice** - students are able to access advice and guidance in relation to any allegation of academic misconduct via either [Kent Union](#) or Christ Church Students' Union.
- 3.3. **Confidentiality** – appropriate levels of confidentiality will be maintained throughout academic misconduct procedures. Data related to academic misconduct procedures will be kept in line with the KMMS Documentation Retention Schedule
- 3.4. **Timeliness** – Allegations of academic misconduct will be dealt with in a timely manner, and without any undue delay. The University will aim to complete the investigation and the formal process of considering an allegation within 40

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<sup>3</sup> The University has established an [Anti-Bribery and Corruption Policy](#) which applies to the full range of the University's activities, both in the UK and overseas.

working days and hear any appeal within 15 working days of the appeal being lodged. Students will be kept informed of progress of any claim of academic misconduct against them.

- 3.5. **Strict Liability** – all types of academic misconduct are considered under the principle of strict liability. This means that whether a student intended to commit an academic misconduct offence or not, is not of relevance.
- 3.6. **Balance of Probabilities** – the standard of proof used for academic misconduct is the balance of probabilities. This means that decisions on allegations of academic misconduct will be based on whether the Chair of/ the Academic Misconduct Committee believes, given the information available, it is more likely that the allegation is true, or untrue.
- 3.7. **Staff Training** – Members of Committees who consider academic misconduct allegations will be given appropriate training by the Quality Assurance and Compliance Office.

#### 4. Academic Misconduct Committees

- 4.1. KMMS students referred to an Academic Misconduct Committee (AMC) will be dealt with by an AMC of the division. Committees shall consist of three academic members of the Division, one of whom shall be appointed as Chair. Committee membership should also include student representation where possible (exceptions to the rule given at 4.1.1).
  - 4.1.1. Student Representatives are full, decision-making members of the Committee and will participate in meetings convened for the purpose of hearing a case under the procedures set out in section 7. Participation of a Student Representative can either be by attendance in-person, or by providing a written statement following their review of the case. Absence of student representation on an Academic Misconduct Committee will only be deemed acceptable in the following circumstances in order to avoid delaying resolution of the case:
    - a. Where a Committee meeting falls during a period outside of the academic term and Student Representation is, therefore, unavailable;
    - b. Where there is evidence of effort made by the Division and Student Union to secure representation without success;
    - c. Where the inclusion of a Student Representative risks bias in an individual case and no alternative representation can be secured

In all circumstances, the student's agreement should be sought before proceeding with the Committee meeting without a Student Representative.

4.1.2. Where a student representative attends a hearing as a Committee member, it will not be their role to provide guidance or support to those students whose work or behaviour is the subject of the allegations under review. Where such support is required it must be supplied by an individual who is not a Committee member.

4.1.3. Each Committee will have a Secretary appointed from within the Division, who shall ensure that appropriate records are kept of all academic misconduct allegations and their outcomes.

4.2. Academic Misconduct Committees will consider such cases of alleged academic misconduct as are referred to it by the Chair. These cases will fall into one of two categories, either:

- a. Alleged minor offences for which the findings and penalty proposed by the Chair are contested by the student(s) concerned; or
- b. Alleged significant or serious offences.

The procedures for the operation of the Academic Misconduct Committee can be found below at section 7.

4.3. It is recognised that Divisions will organise the chairing of Committee(s) in line with their own requirements (e.g. some Divisions may have one Chair for each committee, whereas others may have a single Chair who acts in this capacity for each of their committees). Whatever the configuration the following principles must be observed:

- a. All committees must operate under the procedures detailed in this document.
- b. Divisions should take steps to ensure that there is consistency between its committees, through continuous monitoring and review of decisions made.
- c. For the avoidance of doubt, neither the member(s) of staff raising the allegation of academic misconduct, nor any other staff member involved in the informal investigation of an allegation of misconduct, may be part of the Academic Misconduct Committee convened to consider the case in which they have already participated in such a fashion.

4.4. Committee meetings should be conducted free of bias, and with due consideration given to ensuring diversity of membership. All Committee members are encouraged to engage with EDI training available to University staff, alongside procedural training offered by the Quality Assurance and Compliance Office.

## **5. Chair of the Academic Misconduct Committee**

5.1. The role of the Chair of the Academic Misconduct Committee will be as follows:

- a. To promote the value of acting with honesty and integrity in all matters to do with assessment to the students in the Division;
- b. To assess allegations of academic misconduct made against relevant students in the Division and consider the evidence presented with a view to determining if there is a case to be considered;
- c. To dismiss allegations where these are considered to be unfounded on the basis of the evidence presented;
- d. Where, on the basis of the evidence presented, a case is found, to determine whether the allegations indicate that a minor offence or a significant or serious offence has been committed (see section 6.3.3 for criteria for determining if an offence might be judged as minor);
- e. Where the alleged offence is considered to be minor, to propose the allocation of an appropriate penalty proportionate to the offence (see Appendix A and B for more information on penalties);
- f. Where the findings or proposed penalty for a minor offence are contested by the student, to convene a meeting of the Academic Misconduct Committee to hear the case;
- g. Where the case constitutes one of a number of contemporaneous alleged breaches by the student, to refer the case(s) to the Academic Misconduct Committee;
- h. Where the alleged offence is considered to be significant (repeat) or serious breach of academic integrity, to convene a meeting of the Academic Misconduct Committee to hear the case;
- i. To chair meetings of the Academic Misconduct Committee convened in accordance with the procedures set out;
- j. To review annually the management of cases, the conduct of hearings and the allocation of penalties, with a view to ensuring consistency of practice in the Division;
- k. To contribute to any University review of these practices and procedures.

## 6. Procedures for Considering Allegations of Academic Misconduct

- 6.1. The procedures for considering allegations of academic misconduct will consist of the following stages, as necessary:
  - a. An **informal investigation stage**, which will seek to establish if there is a case to be considered; on the basis of the available evidence the Chair of the Academic Misconduct Committee will determine whether the case should be dismissed or should proceed to the formal stage.
  - b. A **formal stage**, where necessary, in which the student is informed of the investigation; as relevant to the case, the Chair of the Academic Misconduct



Committee determines whether (i) a penalty be proposed or (ii) the matter be referred to a hearing;

- c. A **hearing stage**, as necessary, in which the student may contest the allegation and the proposed penalty before it is recorded and applied;
- d. An **appeal stage**: students are entitled to submit an appeal against the decisions of the Chairs/Academic Misconduct Committees, in line with the grounds for appeal set out in section 9 below.

## 6.2. Informal Investigation Stage

6.2.1. The informal stage commences when a member of staff suspects that a case of academic misconduct has occurred and so initiates a preliminary investigation.

6.2.2. Where the suspected offence involves a piece of assessed coursework or non-invigilated examination or test, the marker (or other member of staff raising the concern) will notify the module lead who will undertake the initial investigation and, on the basis of the evidence gathered, may elect either to dismiss the case or to refer it to the Chair of the Academic Misconduct Committee for review.

6.2.3. Where the suspected offence takes one of the other forms of academic misconduct, such as an examination hall offence, the initial investigation will be undertaken by the most appropriate member of University staff and be reported directly to the Chair of the Academic Misconduct Committee in the relevant Division.

6.2.4. When making a referral, staff should note that Turnitin reports can be used to provide an indication of whether academic misconduct has occurred but should not be relied upon as the sole evidence base for confirming alleged academic misconduct or applying a penalty. It is recommended that staff use their best judgement and other forms of plagiarism detection, such as manual checks and assessments, to ensure academic integrity.

6.2.5. Additionally, AI detection tools should not be used to verify and authenticate content until authorised by the University. AI detection tools have varying levels of reliability depending on the context in which they are used. While they can be effective in certain settings, they should not be relied on as the sole means of detecting or verifying content. These tools can also produce false positives or negatives, which can result in unreliable outcomes. The following procedures will apply at the informal investigation stage:

### 6.2.6. **Coursework Assessment/Non-invigilated Remote Examination or Test**

- a. Where a marker suspects a case of academic misconduct has occurred, an initial investigation of the evidence will be carried out;

- b. Should the marker or other investigating staff member determine that the allegation is without foundation, they will dismiss the case and no further action shall be taken;
- c. Where the marker or other investigating staff member considers that there is a case to answer, it will be referred to the Chair of the Academic Misconduct Committee for formal consideration. A Notification form should be completed to notify the KMMS Student Procedures and Quality Officer of the referral.
  - i. The relevant section of the Academic Misconduct Referral Form should be completed and forwarded to both the Chair and the Secretary to the Academic Misconduct Committee. The form will state the nature of the allegation and reasons for referral. Evidence relating to the allegation will be provided with the form.
  - ii. The student should be informed that their assessment is the subject of an allegation and the reason for referral. This should make clear that at this point it is an initial investigation and does not mean that the allegation will necessarily be confirmed. A template letter is provided for this purpose<sup>4</sup>.
  - iii. Where the Chair considers after investigation that the allegation requires no further action they shall so inform the Module Lead and no further action shall be taken. The Module Lead should notify the Student Procedures and Quality Officer of this decision. The Secretary of the Academic Misconduct Committee will write to the student to inform them that there will be no action in respect of the allegation. A template letter is provided for this purpose<sup>4</sup>.
  - iv. The Chair will complete the relevant section of the Academic Misconduct Referral Form, outlining the reasons why no action will be taken. This form will be provided to the Secretary of the Academic Misconduct Committee who will hold a record of the investigation and outcome in order only that a record of the proceedings is retained. No reference to a case so dismissed will be held on the student's permanent record.

#### **6.2.7. Other Offences**

- a. Where a case of academic misconduct is suspected, the member of staff involved will refer the matter and any available evidence direct to the Chair of the relevant Academic Misconduct Committee in the Division in which the student is registered for their consideration and complete a Notification form to notify the KMMS Student Procedures and Quality Officer.
- b. Where the suspected offence occurs in an examination hall, the KMMS Curriculum and Assessment Team will ensure that the University's procedures for invigilation are followed and that the incident report forms are forwarded to the Chair of the relevant Academic Misconduct Committee in the Division in which the student is registered for their consideration, and will

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<sup>4</sup> Templates can be found at <https://www.kent.ac.uk/education/regulatory-framework/credit-framework#annex-10>

complete a Notification form to notify the KMMS Student Procedures and Quality Officer.

### 6.3. Formal Stage: A Case to Answer

#### 6.3.1. First Offences (UG Stage1), Minor Offences, Significant Offences and Serious Offences

Where, as a result of the informal investigation, the Chair considers that the evidence indicates there is a case to answer, they will determine if the alleged breach should be regarded as constituting a minor, a significant or a more serious offence. In reaching this determination, the Chair will take into account such factors as the following:

- The contribution to the overall mark for a module made by the piece of work in which the instance of alleged misconduct has been identified;
- For plagiarism or self-plagiarism, the proportion of the piece of work that is plagiarised;
- Whether the student is already in receipt of a formal warning letter for academic misconduct;
- The number of previous or contemporaneous offences, if any, with any instances of repeat offending normally to be regarded as constituting a significant or more serious offence;
- Evidence of intent to deceive, with any such evidence normally to be regarded as requiring the treatment of the case as per a significant or more serious offence.

In determining the severity of an offence, and its associated Penalty Category, the Chair can also consult the indicative Exemplar Offences and Penalties provided in Appendix A.

#### 6.3.2. First Offence: Plagiarism/Self-Plagiarism – UG Stage 1

The University acknowledges that at the start of a student's career, plagiarism may be inadvertent and a result of inexperience or poor academic practice. In recognition of this fact, the following procedures have been developed to manage first offences of plagiarism or self-plagiarism.

- a. Where a first offence of plagiarism/self-plagiarism is suspected in a piece of coursework submitted by a stage 1 undergraduate student and is referred by a marker to the Chair of the Academic Misconduct Committee for consideration, discretion is afforded the Chair to treat the case as warranting at most an unpenalised resubmission for the piece of work in question and a referral for academic support, provided that:
  - The Chair is satisfied that the incidence of plagiarism is a result of poor academic practice;

- There is, therefore, no evidence of any intent to deceive;
- b. The piece of work constitutes the first such incidence of inadvertent plagiarism or self-plagiarism for that student. Where the Chair determines that the work concerned constitutes an instance of inadvertent plagiarism or self-plagiarism, the student will be informed of this in writing, along with the proposed penalty. In such cases the Chair, in consultation with the marker, will determine if a mark may be returned for the piece of work based on the portion which is not plagiarised or whether the student should be permitted to re-submit the piece of work without penalty by an agreed deadline. Where, subsequent to the discounting of the plagiarised portion, the mark awarded is lower than the pass mark, the student may be given the opportunity to resubmit the work where it is considered appropriate to do so, by an agreed deadline for an uncapped mark.
- c. Students will not be issued with a formal warning letter where such inadvertent breaches are upheld.
- d. This opportunity to resubmit in term time prior to the next available resubmission opportunity only applies to first offence plagiarism cases over Stage1.
- e. A record of the outcome will be kept by the Secretary to the Academic Misconduct Committee. This record will be deleted when the student progresses from Stage 1. Such cases will not be regarded as constituting a breach of academic misconduct and will not be recorded on the student's transcript or academic reference. The Student Procedures and Quality Officer should be notified of this decision.
- f. Where the student elects to contest the allegation of inadvertent plagiarism or self-plagiarism, the matter will be considered remitted for consideration by the Academic Misconduct Committee under the procedures set out at the formal stage for the conduct of Minor Offences.
- g. Academic Practice Referral – a referral for further guidance on Academic Practice will be made for the student, in the cases of minor offences (Penalty Categories A to B, as per Appendix B ).

### **6.3.3. Minor Offences**

- a. Where the Chair determines on the basis of the available evidence that the case should be treated as per a minor offence they will propose a penalty from those available in Appendix B (normally penalty categories A to B).
- b. The Secretary to the Academic Misconduct Committee will write to the student and set out the details of the allegation, the nature of the evidence, the proposed penalty and state that the proposed penalty will be automatically applied should the student either decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline (normally 10 working days, though this may be a shorter period if this is necessary to ensure that the

outcome can be made available to a meeting of the Board of Examiners).

- c. Should the student either decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline of 10 working days the penalty will be applied automatically and a formal warning letter issued (other than with respect to first cases of inadvertent plagiarism or self-plagiarism at UG Stage1: see section 6.2.3). The Secretary will inform the Chair of the relevant Board of Examiners of the decision. Students may appeal against this outcome in line with the grounds set out at section 9 below.
- d. Should the student contest the allegation and/or the proposed penalty, the Chair will refer the case to the Academic Misconduct Committee. The student will be invited to submit representations in writing. A hearing in person will be convened where the Chair considers that there are sound reasons for doing so.
- e. Following consideration by the Academic Misconduct Committee, the Secretary will inform the student of the outcome of their case, including whether the original outcome has been upheld, or a new outcome reached.
- f. Note: The procedures for the conduct of the Academic Misconduct Committee are set out at section 7.
- g. The Secretary will inform the Chair of the relevant Board of Examiners of the decision of the Academic Misconduct Committee for its information. Boards of Examiners will accept the decision of the Academic Misconduct Committee and may not reopen the case or vary the penalty prescribed.
- h. In receiving the outcome of the Academic Misconduct Committee, the student shall be informed of their right to appeal as per the procedure referenced in section 9.
- i. The final outcome for the allegation of academic misconduct will be recorded on the Academic Misconduct Referral Form. The form shall be held on file by the Secretary to the Academic Misconduct Committee. The Student Procedures and Quality Officer should be notified of this decision.
- j. Understanding and Avoiding Plagiarism module – there is a requirement for the module to be completed for all acts of minor academic misconduct where a penalty has been applied.<sup>5</sup>

#### **6.3.4 Significant Offences**

- a. Where the Chair determines on the basis of the available evidence that the case should be treated as per a significant offence they will propose a penalty from those available in Appendix B (normally penalty category C).
- b. Where the case is treated as significant, the Secretary to the Academic Misconduct Committee will write to the student and set out the details of the

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<sup>5</sup> The exceptions to this are where a student has had their studies terminated, or where a claim of academic misconduct is being considered against a graduate.

allegation, the nature of the evidence, the proposed penalty and state that the proposed penalty will be automatically applied should the student either decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline (normally 10 working days, though this may be a shorter period if this is necessary to ensure that the outcome can be made available to a meeting of the Board of Examiners).

- c. Should the student either decide not to contest the allegation or fail to respond to the Secretary within the prescribed deadline of 10 working days the penalty will be applied automatically. The Secretary will inform the Chair of the relevant Board of Examiners of the decision. Students may appeal against this outcome in line with the grounds set out at section 9 below.
- d. Should the student contest the allegation and/or the proposed penalty, the Chair will refer the case to the Academic Misconduct Committee. The student will be invited to submit representations in writing. A hearing in person will be convened where the Chair considers that there are sound reasons for doing so.
- e. Where a student has previously received a penalty for a significant breach of academic misconduct, this should be considered as a repeat offence, and a meeting of the Academic Misconduct Committee should be convened.

#### **6.3.5 Serious (including repeat) Offences**

- a. Where the Chair of the Academic Misconduct Committee determines on the basis of the available evidence that the case should be treated as an alleged serious offence they will ask the Secretary to convene the Academic Misconduct Committee to hear the case. A penalty should be imposed from those available in Appendix B (normally, penalty categories D-E);
- b. The Secretary will inform the student of the outcome of their case.
- c. The Secretary will inform the Chair of the relevant Board of Examiners of the decision of the Academic Misconduct Committee for its information. Boards of Examiners will accept the decision of the Academic Misconduct Committee and may not reopen the case or vary the penalty prescribed.
- d. In receiving the outcome of the Academic Misconduct Committee, the student will be informed of their right to appeal as per section 9 below.
- e. The final outcome for the allegation of academic misconduct will be recorded on the Academic Misconduct Referral Form. The form shall be held on file by the Secretary to the Academic Misconduct Committee. The Student Procedures and Quality Officer should be notified of this decision.
- f. Understanding and Avoiding Plagiarism module – Other than where a student's registration is terminated there is a requirement for the module to be completed

for acts of academic misconduct where a penalty has been applied for a significant or serious offence.<sup>6</sup>

## 7. Procedures for Academic Misconduct Committees

- 7.1 The following procedures should be observed in operating Academic Misconduct Committees:
- 7.1.1 The student shall be informed by the Secretary of the date on which the Academic Misconduct Committee will consider the case, information about who will be a Committee member, and a copy of the information to be considered.
  - 7.1.2 Students will be informed that they may submit evidence to the Committee in writing or, where the Chair considers a hearing in person appropriate, during the hearing.
  - 7.1.3 Where the evidence suggests that the case will be complex or that the outcome might potentially lead to serious consequences for the student (i.e. category E penalties such as Termination of Studies), it would be appropriate for the Chair to indicate that a hearing in person will be staged. Students will be informed by the Secretary that the case will proceed via a hearing and for these reasons.
  - 7.1.4 Except where the Chair decides that evidence provided by either party should be confidential to the Committee, students and Committee members will each be provided with copies of the written evidence submitted by the other and, where a hearing in person is held, they will both be permitted to hear the other's evidence.
  - 7.1.5 Where a student attends a hearing of the Academic Misconduct Committee, they may be accompanied by a member of staff or a student of the University or a member of staff of the Students' Union or a relative. Where a student representative attends a hearing as a Committee member, it will not be their role to provide guidance or support to those students whose work or behaviour is the subject of the allegations under review. Where such support is required, it must be supplied by an individual who is not a Committee member.
  - 7.1.6 Hearings are not legal proceedings, and a student may not normally be accompanied by a legal representative, even if the legal representative is a member of staff or a student of the University or a member of staff of the Students' Union or a relative. However, in complex disciplinary cases, or

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<sup>6</sup> The exceptions to this are where a student has had their studies terminated, or where a claim of academic misconduct is being considered against a graduate.

cases where the outcome can potentially lead to a serious consequence, (i.e. category E penalties such as Termination of Studies) students are permitted to have legal representation.

- 7.1.7 Students must give the Chair of the Academic Misconduct Committee advance notice where they intend to use legal representation, so that the University can support the Academic Misconduct Committee in obtaining its own legal advice/support.
- 7.1.8 Where legal representation is required by both parties, the date of the Academic Misconduct Committee hearing may need to be amended, taking into account that the consideration of allegations should be completed within 40 working days (see section 3.4).
- 7.1.9 Where a student does not attend an Academic Misconduct Committee hearing on the scheduled date without good reason, they will have no further right of redress within the University's appeals procedures.
- 7.1.10 Where non-attendance is found to be for good reason, the Chair will reconvene the Committee at a later date, taking into account that the consideration of allegations should be completed within 40 working days (see section 3.4).
- 7.1.11 The Chair shall have the right to decide that evidence submitted in person or in writing should be ignored by the Committee on the grounds that it is irrelevant or inappropriate and shall give reasons for doing so.
- 7.1.12 The Secretary shall be responsible for ensuring that a confidential record is kept of all cases. The University is obliged to release details relating to academic discipline offences if these are explicitly requested by prospective employers as part of an academic reference or where disclosure is an obligatory professional requirement.

## 8. Other Matters to Note

- 8.1 Formal Written Warning – a formal warning letter will be sent to all students where it is found that academic misconduct has taken place, regardless of the severity of the offence (other than with respect to first cases of inadvertent plagiarism or self-plagiarism at Stages 1: See section 6.3.2).
- 8.2 Academic Practice Referral - a referral for further guidance on Academic Practice will be made for students in the cases of minor offences (Penalty Categories A to B, as per Appendix B of Annex 10).
- 8.3 Understanding and Avoiding Plagiarism module - there is a requirement for the module to be completed for all acts of academic misconduct where a penalty has



been applied<sup>7</sup>.

- 8.4 First and Subsequent Offences - students must receive a formal warning letter for a first offence, prior to a second offence being established. (Other than with respect to first cases of inadvertent plagiarism or self-plagiarism at UG Stages 0/1: See section 6.3.2). This is to recognise that students may submit multiple assessments at the same time, where the same academic integrity issues arise. In such cases it would be inappropriate to establish a second offence prior to academic integrity training having been completed.
- 8.5 Re-assessment - where, as a result of academic misconduct, a piece of work is failed (i.e. a plagiarised piece of work has its mark reduced to '0') this might result in the failure of a module if there are no further permitted attempts remaining for the assessment (as per the published regulations). If there is a further attempt available, the student may submit a new piece of work for marking. The module lead has discretion if this should be on a new or the same topic as the misconduct related piece of work.
- 8.6 Contract Cheating - The Quality Assurance Agency (QAA) defines Contract Cheating as a form of cheating where a student submits work to a higher education provider for assessment, where they have used one or more of a range of services provided by a third party, and such input is not permitted.
- 8.6.1 The contract with the student can include payment or other favours, but this is not always the case.
- 8.6.2 Services<sup>1</sup> may include essays or other types of assignments, conducting research, impersonation in exams and other forms of unfair assistance for completing assessed work.
- 8.6.3 'Third parties' include web-based companies or auction sites (essay mills), sharing websites (including essay banks), or an individual such as a lecturer, colleague, friend or relative.
- 8.6.4 'Input' means that the third party makes a contribution to the work of the student, such that there is reasonable doubt as to whose work the assessment represents."<sup>8</sup>
- 8.6.5 The University takes Contract Cheating in any form extremely seriously, and as such any proven case of academic misconduct which involves Contract Cheating will result in one of the severest levels of penalty available being applied, including termination of studies with no award.

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<sup>7</sup> The exceptions to this are where a student has had their studies terminated, or where a claim of academic misconduct is being considered against a graduate.

<sup>8</sup> [Contracting to Cheat in Higher Education - How to Address Contract Cheating, the use of Third-party Services and Essay Mills](#), QAA, 2022.

## 9. Appeals

- 9.1 Students wishing to appeal against the decisions of Chairs of Academic Misconduct Committees, may do so on the following grounds:
- a. Where there are reasonable grounds, supported by objective evidence, to believe that there has been an administrative, procedural or clerical error of such a nature as to have affected the recommendation of the Committee; and/or;
  - b. That fresh evidence can be presented, which could not reasonably have been made available before the decision was made, and which casts reasonable doubt on the reliability of the decision; and/or
  - c. That the outcome and/or penalty were unreasonable or not justified given the evidence which was available at the time; and/or
  - d. Where there is evidence of prejudice or bias or the reasonable perception of prejudice or bias against the student.
- 9.2 Appeals on these grounds must be submitted and conducted in line with the procedures set out in the [KMMS Appeals Procedure](#).

## 10. Revocation of Awards

- 10.1 The University reserves the right to investigate an allegation of academic misconduct made following a student receiving their award. In such cases, the University will investigate the allegation under the procedures above to determine what action should be taken.
- 10.2 If, on completion of the above procedures, sufficient evidence exists to confirm academic misconduct has taken place, the University will apply an appropriate sanction from its list of Academic Misconduct Penalties (Appendix B).
- 10.2.1 This may include, where applicable, revocation of the relevant joint University award. In this situation a member of Canterbury Christ Church University staff will be involved in the decision.

**Appendix A - Exemplar Offences and Penalties (indicative only – not all are applicable to KMMS**

<b>Academic Offence</b>	<b>Severity</b>	<b>Penalties</b>	<b>Exemplar</b>
<b>Exam or ICT Misconduct</b>	Minor (including first offences)	A1-B2	<i>Breach of guidance for students but deemed not to have gained an advantage or placed other students at disadvantage (e.g., use of unauthorised materials).</i>
	Significant	C1-C4	<i>Breach of guidance for students and deemed to have gained an advantage or placed other students at disadvantage (e.g., use of unauthorised materials).</i>
	Serious (including repeated)	D1-D3, E1-3	<i>Serious and/or repeated breach of guidance for students and deemed to have gained a significant advantage (e.g., use of unauthorised materials).</i>
<b>Attempting to influence an examiner or teacher</b>	Any	E1-E4	<i>Seeking to gain an advantage by offering inducements to an examiner to treat the work more favourably than is merited.</i>
<b>Plagiarism</b>	Minor (including first offences)	A1-B2	<i>Poor academic practice, unattributed material characteristic of general approach.</i>
	Significant	C1-C4	<i>Lengthy incidences of material inappropriately close to original source.</i>
	Serious (including repeated)	D1-E4	<i>Little or no independent academic value and/or repeated offence.</i>

<b>Self-plagiarism</b>	Any	A1-B2	<i>Minor failure to attribute prior work.</i>
		C1-D2	<i>Significant or serious failure to attribute prior work.</i>
<b>Collusion</b>	Any	C1-E4	
<b>Impersonation</b>	Any	E1-E4	<i>Intent to deceive as evidenced via false representation by a third party.</i>
<b>Fabrication</b>	Minor (including first offences)	A1-B2	<i>Minor inappropriate manipulation of data or source material to support the piece of work.</i>
	Significant (including repeated)	C4 to D1	<i>Inappropriate manipulation of data or source material to support the piece of work.</i>
	Serious (including repeated)	E1-E4	<i>Fabrication or falsification of data to support the piece of work.</i>
<b>Failure to obtain ethical/ research approval</b>	Any	C1-E3	
<b>Unauthorised Use of Artificial Intelligence</b>	Any	C1-E3	<i>Presenting work for an assessment generated by artificial intelligence software, without acknowledging the source.</i>
<b>Contract Cheating</b>	Any	C4 - E4	<i>Submission of work for assessment that is wholly or in part the</i>

*product of third-party services.*

## 12. Appendix B - Academic Misconduct Penalties

### Criteria

All academic misconduct offences are considered under the principle of strict liability.

In determining the appropriate penalty for an offence, the following criteria will be considered:

- i. The type and severity of academic offence.*
- ii. The level of study and previous educational background of the student.*
- iii. Whether the student admits or denies the allegation.*
- iv. Previous or concurrent academic offences.*
- v. The impact of the penalty on the student's progress or award.*

Categories of Offence:

- Minor (including first offences) – Typically A and B penalties.
- Significant – Typically C and D penalties.
- Serious (including repeated offences) – Typically E penalties.

It is recognised however that the specific circumstances of an allegation of misconduct may require discretion to be used on whether or minor, significant or serious penalty should be applied. The below table provides some examples of penalties that may be applied. Not all will be applicable to KMMS students

Category	Level	Penalty	Referral to Low Level Concerns /Fitness to Practise Procedures	Warning Letter	Academic Practice Referral	Completion of 'Understanding and Avoiding Plagiarism' Module
A.	0	No penalty - no offence committed; student referred for academic support		✓	✓	
	1	No penalty - first/minor offence committed; student referred for academic support	✓	✓	✓	✓
B.	1	Minimum penalty - formal warning placed on student record	✓	✓	✓	✓
	2	Penalised assessment mark of 10 percentage points	✓	✓	✓	✓
C.	1	Penalised assessment mark appropriate to the nature of the offence (may be greater than 10 percentage points)	✓	✓		✓
	2	Penalised assessment mark capped at the pass mark	✓	✓		✓
	3	Penalised assessment mark capped at the pass mark following resubmission	✓	✓		✓
	4	Penalised assessment mark of zero	✓	✓		✓
D.	1	Penalised module mark capped at the pass mark	✓	✓		✓
	2	Penalised module mark of zero (regardless of other assessment marks), capped resit permitted	✓	✓		✓
	3	Reduce overall Stage mark by 10 percentage points	✓	✓		✓

	4	Reduce programme classification by one or more class (not available to Stage 1 UG)	✓	✓		✓
E.	1	Award a mark of zero for the academic year with no opportunity for referral	✓	✓		✓
	2	Termination of academic studies with exit award where appropriate	-	-		-
	3	Termination of academic studies with no award	-	-		-
	4	Revocation of Award	-	-		-

**Notes**

- 1. Penalties involving a deduction of marks should ensure that the deduction is proportionate to the offence committed and the nature of the assessment.**
- 2. Penalties may be applied singly or in combination where a candidate has previously committed an offence.**
- 3. Any of the penalties may also be applied where an offence is committed in relation to reassessment (e.g., resubmission &/or referral).**
- 4. Where a penalty involves resubmission of assessment, the resubmission will count as a referral opportunity for Credit Framework purposes.**
- 5. Where an academic penalty is not appropriate (e.g., where it is alleged that a student has falsified documentation as part of an academic procedure, such as the mitigation of extenuating circumstances) the Chair of the Academic Discipline Committee may refer the offence for consideration under the Regulations on student discipline in relation to non-academic matters.**